

FORM PTC-1390  
(REV. 5-93)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

6181/OK439

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)INTERNATIONAL APPLICATION NO.  
PCT/KR01/01295INTERNATIONAL FILING DATE  
July 30, 2001PRIORITY DATE CLAIMED  
July 31, 2000

## TITLE OF INVENTION

EXPRESSION VECTOR CODING P972 GENE FOR CANCER THERAPY AND ADENOVIRUS  
PRODUCING THE SAME

## APPLICANT(S) FOR DO/EO/US

Dae-Gun KIM, Won-Kyung CHO, Neon-Cheol JUNG, Young-Rim SEONG, Dojung-Soo IM, Seung-Suh HONG and Hyun-Soo LEE

Applicant herewith submits to the United States Designated/Elected office (DO/EO/US) the following items and other information:

1.  This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2.  This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3.  This is an express request to begin national examination procedures (35 U.S.C. 371 (f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S. C. 371 (b) and PCT Articles 22 and 39 (1).
4.  A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5.  A copy of the International Application as filed (35 U.S. C. 371 (c) (2))
  - a.  is transmitted herewith (required only if not transmitted by the International Bureau).
  - b.  has been transmitted by the International Bureau
  - c.  is not required, as the application was filed in the United States Receiving Office (RO/US)
6.  A translation of the International Application into English (35 U.S. C. 371 (c)(2)).
7.  Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a.  are transmitted herewith (required only if not transmitted by the International Bureau).
  - b.  have been transmitted by the International Bureau.
  - c.  have not been made; however, the time limit for making such amendments has NOT expired.
  - d.  have not been made and will not be made.
8.  A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c) (3)).
9.  An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10.  A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11.  An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12.  An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13.  A FIRST preliminary amendment.
- A SECOND or SUBSEQUENT preliminary amendment.
14.  A substitute specification.
15.  A change of power of attorney and/or address letter.
16.  Other items or information:

5-3-02 028721113-US  
*G. Karasz* *J. Karasz*

J.U.S. APPLICATION NO. (if known) sec 37 C.F.R.1.10 10/089,841	INTERNATIONAL APPLICATION NO.: PCT/KR/01295	Attorney's Docket Number 6181/OK439
---	---	--

17.  The following fees are submitted:

Basic National Fee (37 CFR 1.492 (a)(1)-(5));

Search Report has been prepared by the EPO  or JPO

\$890.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) .....

\$710.00

No international preliminary examination fee paid to USPTO(37 CFR 4.482)  
but international search fee paid to USPTO (37 CFR 1.445 (a) (2)...)

\$740.00

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....

\$1,040.00

International preliminary examination fee paid to USPTO (37 CFR 1.482)  
and all claims satisfied provisions of PCT Article 33(2)(4)....

\$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT = \$0.00

Surcharge of \$130.00 for furnishing the oath or declaration later than  20  130 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$130.00

Claims	Number Filed	Number Extra	Rate	
Total Claims	10-20	0	X \$18.00	\$0.00
Independent Claims	3-3	0	X \$80.00	\$0.00
Multiple dependent claim(s) (if applicable)	+ 280			\$0.00
TOTAL OF ABOVE CALCULATIONS =				\$130.00
Reduction by 1/2 for filing by small entity, if applicable.				\$0.00
SUBTOTAL =				\$130.00
Processing fee of \$130.00 for furnishing the English translation later the <input type="checkbox"/> 20 <input type="checkbox"/> 39 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$
+				
TOTAL NATIONAL FEE =				\$130.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). the assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$40.00
+				
TOTAL FEES ENCLOSED =				\$170.00
				Amount to be refunded
				\$
				charged: \$

a.  A check in the amount of \$170.00 to cover the above fees is enclosed.

b.  Please charge my Deposit Account No.04-0100 in the amount of \$ to cover the above fees.

c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 04-0100. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

S. Peter Ludwig  
Darby & Darby P.C.  
805 Third Avenue  
New York, New York 10022-7513

SIGNATURE

NAME S. Peter Ludwig

REGISTRATION NO. 25,351

5/13/2002 LLN/OK439 00000011 10005541

1 SC:154

130.00 CP



## UNITED STATES PATENT AND TRADEMARK OFFICE

EEB  
 Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

U.S. APPLICATION NUMBER NO 10/089,641	FIRST NAMED APPLICANT Kim Dae Gun	ATTY. DOCKET NO. 6181/OK439
		INTERNATIONAL APPLICATION NO. PCT/KR01/01295
S Peter Ludwig Darby & Darby 805 Third Avenue New York, NY 10022-7511	DUE: <u>August 26, 2002</u> Docketed on <u>7/8</u> by <u>DP</u> for Docketed without file <input type="checkbox"/>	FILING DATE <u>07/20/2001</u> 1/30 PRIORITY DATE <u>07/31/2000</u>
Attorney _____		CONFIRMATION NO. 3102 371 FORMALITIES LETTER  *OC000000008349380*

Date Mailed: 06/26/2002

1-26-03

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- U.S. Basic National Fees
- Priority Document
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Oath or Declaration
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

**A.I.L.O.F.T.H.E I.T.E.M.S S.E.T F.O.R.T.H A.B.O.V.E M.U.S.T B.E S.U.M.M.I.T.D W.I.T.H T.W.O (2) M.O.N.T.H F.R.O.M T.H.E D.A.T.E O.F T.H.I.S N.O.T.I.C.E O.R B.Y 22 o.r 32 M.O.N.T.H.S (w.h.e.r.e 37 C.F.R 1.495 a.p.p.l.y.s) F.R.O.M T.H.E P.R.O.P.R.E.D.Y D.A.T.E F.O.R T.H.E A.P.P.L.I.C.A.T.I.O.N, W.H.I.C.H.E.V.E.R I.S L.A.T.E.R. F.A.I.L.U.R.E T.O P.R.O.P.R.E.D.Y R.E.S.P.O.N.D W.I.L.L R.E.S.U.L.T I.N A.B.A.N.D.O.N.M.E.N.T.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed

to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

INDIA L EVANS

Telephone: (703) 305-2936

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/089,641	PCT/KR01/01295	6181/OK439

FORM PCT/DO/EO/905 (371 Formalities Notice)